

MAY 20 2008

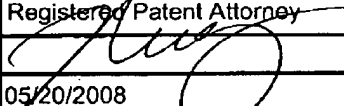
PTO/SB/21 (08-03)

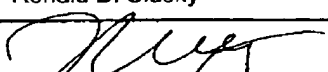
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/634,935	
	Filing Date	08/05/03	
	First Named Inventor	CORTEZ, Bruce G.	
	Art Unit	2616	
	Examiner Name	YUEN, Kan	
Total Number of Pages in This Submission	4	Attorney Docket Number	2002-0173

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Information for Petition Previously Filed
Remarks The Commissioner is authorized to charge any fee required to the Deposit Account of Ronald D. Slusky, Attorney at Law, Account No. 502,186 <b>ATTENTION: PETITIONS</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Ronald D. Slusky Registered Patent Attorney
Signature	
Date	05/20/2008

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Ronald D. Slusky		
Signature		Date	05/20/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bruce G. Cortez et al

Attorney Docket No: 2002-0173

Serial No.: 10/634,935

Art Unit: 2616

Filed: 08/05/2003

Examiner: YUEN, Kan

Title: LINK SELECTION SCHEMES FOR AVOIDING CHANNEL  
CONTENTIONCOMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

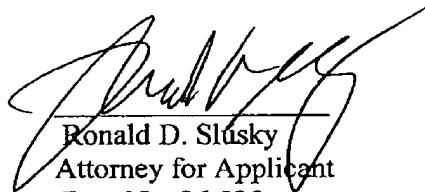
SIR:

**SUPPLEMENTAL INFORMATION FOR**  
**"PETITION FOR REVIVAL" PREVIOUSLY FILED**

1. A petition for revival of an application unavoidably abandoned was filed on 01/24/2008 and has not yet been acted upon.
2. The basis for the assertion in the petition that the application was unavoidably abandoned was that there was an erroneous deduction by the Office from the Deposit Account 502,186 in the course of the prosecution of another application 10/330,893. As stated in the petition, the amount of the erroneous deduction was \$2,730.00, leaving insufficient funds in the deposit account to cover the issue fee in the application that is the subject of this petition.
3. The Office has now agreed that the aforesaid deductions totaling \$2,730.00 were improperly deducted from the deposit account. See the attached April 2008 statement for this deposit account, showing that three fees totaling \$2,730.00 were credited back to the deposit account on 04/11/2008.
4. This re-crediting to the deposit account thus confirms that the lack of funds in the deposit account to cover the issue fee for the present application was, indeed, an Office error and thus, out of applicants' control and thus "unavoidable."
5. It would appear that in the course of investigating the matter of the improper deductions, the Office discovered that certain fees totaling \$1,146 that were due during the prosecution of the 10/330,893 application were never deducted.

Accordingly, those fees were deducted on 04/11/2008 at the same time as \$2,740.00 was credited back to the account. Please see the attached statement. But even if the amount of \$1,146 had been deducted at the time that the erroneous amount of \$2,730.00 had been deducted, there would have been sufficient funds in the deposit account to cover the issue fee for the application that is the subject of this petition.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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Date: 05/20/2008



United States  
Patent and  
Trademark Office



**Deposit Account Statement**

**Requested Statement Month:** April 2008  
**Deposit Account Number:** 502186  
**Name:** RONALD D SLUSKY, ATTORNEY AT LAW  
**Attention:**  
**Street Address 1:** 353 WEST 56TH ST.-SUITE 5L  
**Street Address 2:**  
**City:** NEW YORK  
**State:** NY  
**Zip:** 100198-3775  
**Country:** UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/11	1	10330893	2002-0057	1203	-\$360.00	\$5,532.00
04/11	2	10330893	2002-0057	1202	-\$1,950.00	\$7,482.00
04/11	3	10330893	2002-0057	1201	-\$420.00	\$7,902.00
04/11	4	10330893	2002-0057	1201	\$172.00	\$7,730.00
04/11	5	10330893	2002-0057	1202	\$684.00	\$7,046.00
04/11	6	10330893	2002-0057	1203	\$290.00	\$6,756.00
04/30	65	12150500	2001-0558 CON	1011	\$310.00	\$6,446.00
04/30	66	12150500	2001-0558 CON	1111	\$510.00	\$5,936.00
04/30	67	12150500	2001-0558 CON	1311	\$210.00	\$5,726.00

credit of \$2,730.00

charge of \$1,146.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$5,172.00	\$2,176.00	\$2,730.00	\$5,726.00

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